

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed October 6, 2005. Claims 1-23 were pending in the Application. In the Office Action, Claims 1-23 were rejected. Claims 1-23 remain pending in the Application. Applicants respectfully request reconsideration and favorable action in this case.

In the Office Action, the following actions were taken or matters were raised:

SECTION 103 REJECTIONS

Claims 1-23 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Publication No. 2002/0083343 issued to Crosbie (hereinafter "*Crosbie*") in view of Publication No. 2002/0093527 issued to Sherlock et al. (hereinafter "*Sherlock*"). Applicants respectfully traverse this rejection.

Applicants respectfully submit that *Crosbie* is not available as prior art under 35 U.S.C. § 103 because *Crosbie* and the present Application were commonly owned when the present Application was filed. According to 35 U.S.C. § 103(c):

Subject matter developed by another person, which qualifies as prior art under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

The present Application, owned by Hewlett-Packard Development Company at the time the invention was made, was filed October 31, 2001. *Crosbie*, a patent owned by the Hewlett-Packard Development Company, was filed on June 12, 2001, and was published on June 27, 2002 (i.e., after the present Application was filed). Since *Crosbie* is potentially available as a prior art reference by virtue of 35 U.S.C. § 102(e), *Crosbie* is not available as a prior art reference under 35 U.S.C. § 103 because the present application and *Crosbie* were commonly owned at the time the present application was filed. Because the Examiner relied on *Crosbie* to

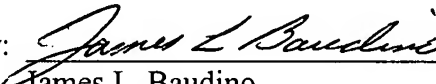
reject Claims 1-23, Applicants respectfully submit that the rejection of Claims 1-23 based on *Crosbie* should be withdrawn. Further, the limitations or combinations of limitations for which the Examiner relied on in *Crosbie* to reject Claims 1-23 do not appear to be disclosed or suggested in the other cited reference (i.e., *Sherlock*). Therefore, Applicants respectfully submit that Claims 1-23 are allowable over the art of record.

CONCLUSION

Applicants have made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other reasons clearly apparent, Applicants respectfully request reconsideration and full allowance of all pending claims.

No fee is believed due with this Response. If, however, Applicants have overlooked the need for any fee due with this Response, the Commissioner is hereby authorized to charge any fees or credit any overpayment associated with this Response to Deposit Account No. 08-2025 of Hewlett-Packard Company.

Respectfully submitted,

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